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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,272	10/31/2003	Michael Borella	79512	1627

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EXAMINER	
KOEMPEL THOMAS, BEATRICE L	
ART UNIT	PAPER NUMBER
2196	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/698,272	BORELLA ET AL.	
	Examiner	Art Unit	
	Bea Koempel-Thomas	2196	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-36 are pending in this application and presented for examination.

Claim Objections

2. Claim 22 is objected to for the following informalities: "the billing mediation server" (lines 5-6) lacks antecedent basis. In order to further prosecution, the examiner interpreted the instance as "a billing mediation server." Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Malkin et al.., U.S. Patent No. 6,061,650, (hereinafter "Malkin").

5. Regarding **claim 1:** Malkin discloses a method comprising:

receiving session initiation protocol compatible authentication message information as corresponds to an authentication message as sourced by a given subscriber (col. 2 lines 26-40);

converting the session initiation protocol compatible authentication message information into corresponding RADIUS protocol compatible authentication message information (col. 4 lines 27-28);

using the RADIUS protocol compatible authentication message information to facilitate authentication of the given subscriber (col. 4 lines 24-28).

6. Regarding **claim 2:** Malkin discloses using a session initiation protocol compatible proxy to receive the session initiation protocol compatible authentication message information (col. 2 lines 49-57).

7. Regarding **claim 3:** Malkin discloses using an authentication mediation server to convert the session initiation protocol compatible authentication message (col. 2 lines 49-57).

8. Regarding **claim 4:** Malkin discloses using a physically discrete authentication mediation server (col. 2 lines 49-57).

9. Regarding **claim 6:** Malkin discloses using a RADIUS server to use the RADIUS protocol compatible authentication message information to facilitate authentication of the given subscriber (col. 4 lines 24-28).

10. Regarding **claim 7:** Malkin discloses using the RADIUS protocol compatible authentication message information to facilitate authentication of the given subscriber (col. 4

lines 24-28) with respect to usage of a particular communication service by the given subscriber (col. 2 lines 30-36).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 5, 8-36 are rejected under 35 U.S.C. 103(a) as being obvious over Malkin in view of O'Brien, Jr., U.S. Patent Publication No. 2003/0031165 A1, (hereinafter "O'Brien").

13. Regarding **claim 16:** Malkin discloses a RADIUS compatible server (col. 4 lines 24-28).

Malkin does not disclose in conjunction with conducting a near-real-time multicast session using an Internet Protocol. compatible communication service: generating billing information that pertains to the near-real-time multicast session as regards at least one given participating subscriber or providing billing information.

O'Brien discloses in conjunction with conducting a near-real-time multicast session using an Internet Protocol. compatible communication service [0060]: generating billing information that pertains to the near-real-time multicast session as regards at least one given participating subscriber [0028] and providing billing information [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the multicast communication service and customer site configuration taught by O'Brien in order to provide applications like Internet telephony or video conferencing and provide accounting for the same.

14. Regarding **claim 30:** Malkin discloses an authentication server comprising: a session initiation protocol compatible interface (col. 2 lines 49-57), and a RADIUS server interface to facilitate providing information to a RADIUS server regarding: authentication communications (col. 4 lines 24-28).

Malkin does not disclose a billing mediation server comprising: near-real-time multicast communication services; a near-real-time multicast communications services server interface to facilitate receiving billing information from a near-real-time multicast communications services server regarding a multi-participant near-real-time multicast session.

O'Brien discloses a billing mediation server comprising: near-real-time multicast communication services; a near-real-time multicast communications services server interface to facilitate receiving billing information [0027]-[0028] from a near-real-time multicast communications services server regarding a multi-participant near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin with the multicast communication service, customer site configuration, and billing system taught by O'Brien in order to provide applications like Internet telephony or video conferencing.

15. Regarding **claim 5:** Malkin does not disclose using a virtual authentication mediation server.

O'Brien discloses using a virtual authentication mediation server [0065].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the virtual authentication server as taught by O'Brien for the benefit of customers saving the expense of purchasing their own servers.

16. Regarding **claim 8:** Malkin does not disclose facilitating authentication of the given subscriber with respect to usage of a particular communication service comprising a near-real-time multicast communication service.

O'Brien discloses facilitating authentication of the given subscriber with respect to usage of a particular communication service comprising a near-real-time multicast communication service [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the multicast communication service as taught by O'Brien in order to provide applications like Internet telephony or video conferencing.

17. Regarding **claim 9:** Malkin does not disclose a one-to-many communication service.

O'Brien discloses a one-to-many communication service [0062].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the multicast communication service as taught by O'Brien in order to provide applications like video conferencing or conference calling.

18. Regarding **claim 10:** Malkin does not disclose a voice communication service.

O'Brien discloses a voice communication service [0062].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the multicast communication service as taught by O'Brien in order to provide applications like Internet telephony or conference calling.

19. Regarding **claim 11:** Malkin does not disclose a voice-over-Internet-Protocol. communication service.

O'Brien discloses a voice-over-Internet-Protocol. communication service [0062].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the multicast communication service as taught by O'Brien in order to provide applications like Internet telephony.

20. Regarding **claim 12:** Malkin does not disclose generating billing information that pertains to a communication service as is provided to the given subscriber; providing the billing information to a RADIUS compatible server.

O'Brien discloses generating billing information that pertains to a communication service as is provided to the given subscriber [0027]-[0028]; providing the billing information to a RADIUS compatible server [0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to relieve customers of the need to maintain accounting equipment.

21. Regarding **claim 13:** Malkin does not disclose generating billing information that pertains to a near-real-time multicast communication service as is provided to the given subscriber.

O'Brien discloses generating billing information that pertains to a near-real-time multicast communication service [0060] as is provided to the given subscriber [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like Internet telephony.

22. Regarding **claims 14, 17 and 33:** Malkin does not disclose generating billing information that corresponds, at least in part, to at least one of: a start time for a near-real-time multicast communication service; an end time for a near-real-time multicast communication service; an Internet Protocol address of a near-real-time multicast communication service server; an Internet Protocol address of a session initiation protocol. compatible proxy; identifying information for

an initiating party of a near-real-time multicast communication; and identifying information for a plurality of participants of a near-real-time multicast communication.

O'Brien discloses generating billing information that corresponds, at least in part, to at least one of:

starting and ending times for a near-real-time multicast communication service ([0028] length);

an Internet Protocol address of a near-real-time multicast communication service server [0038]-[0040];

an Internet Protocol address of a session initiation protocol compatible proxy [0043]-[0047];

identifying information for an initiating party of a near-real-time multicast communication ([0028] provide gathered information); and

identifying information for a plurality of participants of a near-real-time multicast communication ([0060] conference calling).

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like Internet telephony.

23. Regarding **claims 15 and 18:** Malkin discloses identifying information for a particular participant (col. 2 lines 30-31).

Malkin does not disclose generating billing information for a portion of a near-real-time multicast session that comprises at least one of: a start time for the portion of the near-real-time

multicast session; an end time for the portion of the near-real-time multicast session; a measure of data as was communicated during the portion of the near-real-time multicast session; an amount of transmission time as occurred during the portion of the near-real-time multicast session; an amount of reception time as occurred during the near-real-time multicast session; identifying information regarding a voice codec; total session initiation protocol bytes as were transmitted during the portion of the near-real-time multicast session; and total session initiation protocol. bytes as were received during the portion of the near-real-time multicast session.

O'Brien discloses generating billing information for a portion of a near-real-time multicast session [0060] that comprises at least one of:

starting and ending times for a near-real-time multicast communication service ([0028] length).

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like video conferencing or conference calling.

24. Regarding **claim 19:** Malkin does not disclose generating billing information that pertains to the near-real-time multicast session as regards a plurality of participating subscribers.

O'Brien discloses generating billing information that pertains to the near-real-time multicast session as regards a plurality of participating subscribers [0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like conference calling.

25. Regarding **claim 20:** Malkin discloses a RADIUS compatible server (col. 4 lines 24-28).

Malkin does not disclose providing the billing information comprising segregating the billing information as pertains to each participating subscriber to provide segregated billing information.

O'Brien discloses providing the billing information comprising segregating the billing information as pertains to each participating subscriber to provide segregated billing information [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for individual customers.

26. Regarding **claim 21:** Malkin discloses a RADIUS compatible server (col. 4 lines 24-28).

Malkin does not disclose temporally parsed segregated billing information.

O'Brien discloses temporally parsed segregated billing information ([0028] length).

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for individual customers.

27. Regarding **claim 22:** Malkin discloses a RADIUS compatible server (col. 4 lines 24-28).

Malkin does not disclose generating billing information that pertains to the near-real-time multicast session as regards at least one given participating subscriber comprises receiving, by a

billing mediation server, at least some services usage information from a near-real-time multicast session server; and providing the billing information by a billing mediation server.

O'Brien discloses generating billing information [0028] that pertains to the near-real-time multicast session [0060] as regards at least one given participating subscriber [0028] comprises receiving at least some services usage information from a near-real-time multicast session server [0060]; and providing the billing information comprises the billing mediation server providing the billing information [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin with the multicast communication service, customer site configuration, and billing system taught by O'Brien in order to provide applications like Internet telephony or video conferencing and provide accounting for the same.

28. Regarding **claim 23:** Malkin discloses receiving session initiation protocol compatible authentication message information as corresponds to an authentication message as sourced by a given subscriber (col. 2 lines 26-40); converting the session initiation protocol compatible authentication message information into corresponding RADIUS protocol compatible authentication message information (col. 4 lines 24-28); using the RADIUS protocol compatible authentication message information to facilitate authentication of the given subscriber (col. 4 lines 29-37).

Malkin does not disclose a near-real-time multicast session.

O'Brien discloses a near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide applications like Internet telephony or video conferencing.

29. Regarding **claim 24:** Malkin discloses using a session initiation protocol compatible proxy to receive the session initiation protocol compatible authentication message information (col. 2 lines 49-57).

30. Regarding **claim 25:** Malkin discloses using an authentication mediation server to convert the session initiation protocol compatible authentication message (col. 2 lines 49-57).

31. Regarding **claim 26:** Malkin discloses an authentication mediation server (col. 2 lines 49-57).

Malkin does not disclose a billing mediation server.

O'Brien discloses a billing mediation server [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin with the billing mediation server taught by O'Brien in order to provide central authentication and accounting.

32. Regarding **claim 27:** Malkin discloses a physically discrete authentication mediation server (col. 2 lines 49-57).

Malkin does not disclose a billing mediation server.

O'Brien discloses a billing mediation server [0027]-[0028].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin with the billing mediation server taught by O'Brien in order to provide central authentication and accounting.

33. Regarding **claim 28:** Malkin does not disclose a virtual billing mediation server.

O'Brien discloses a virtual billing mediation server [0027]-[0028] and [0065].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin with the virtual billing mediation server as taught by O'Brien for the benefit of customers saving the expense of purchasing their own servers and in order to provide central authentication and accounting.

34. Regarding **claim 29:** Malkin discloses using a RADIUS server (col. 4 lines 24-28) to use the RADIUS protocol compatible authentication message information to facilitate authentication of the given subscriber (col. 4 lines 29-37).

Malkin does not disclose a near-real-time multicast session.

O'Brien discloses a near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide applications like Internet telephony or video conferencing.

35. Regarding **claim 31:** Malkin discloses a 3Q compatible interface (col. 2 lines 49-57).

36. Regarding **claim 32:** Malkin discloses a session initiation protocol compatible interface operably coupled to a session initiation protocol proxy (col. 2 lines 49-57).

37. Regarding **claim 33:** claim 33 is rejected as obvious over Malkin as modified by O'Brien and Barry in claim 30, above, for the same reasons as claims 14 and 17, above.

38. Regarding **claim 34:** Malkin discloses means to distinguish portions of a given session (col. 2 lines 30-31).

Malkin does not disclose billing means for processing the billing information to provide temporally parsed billing information as corresponds to near-real-time multicast session.

O'Brien discloses billing means for processing the billing information to provide temporally parsed billing information [0028] as corresponds to near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like Internet telephony.

39. Regarding **claim 35:** Malkin discloses means to distinguish individual participants of a given session (col. 2 lines 30-31).

Malkin does not disclose billing means for processing the billing information to provide parsed billing information as corresponds to near-real-time multicast session.

O'Brien discloses billing means for processing the billing information to provide parsed billing information [0028] as corresponds to near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like Internet telephony.

40. Regarding **claim 36:** Malkin discloses means to distinguish portions of a given session (col. 2 lines 30-31).

Malkin does not disclose billing means for processing the billing information to provide temporally parsed billing information as corresponds to near-real-time multicast session.

O'Brien discloses billing means for processing the billing information to provide temporally parsed billing information [0028] as corresponds to near-real-time multicast session [0060].

Therefore it would have been obvious to one skilled in the art at the time of the invention to modify Malkin by the customer site configuration taught by O'Brien in order to provide accounting for applications like Internet telephony.

Conclusion

41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is:

- J. Franks. Northwestern University, "HTTP Authentication: Basic and Digest Access Authentication, Request for Comments: 2617," June 1999.

- Vizard et al., "MCI to Pilot Convergence Billing Service," InfoWorld, v. 18, n. 37, Sep 9, 1996.
- Barry et al., U.S. Patent No.6,615,258 B1, regarding an integrated customer interface for web based data management.
- Tsuda, U.S. Patent Publication No. 2002/0065785 A1, regarding a mobile communication system using mobile IP and AAA protocols for general authentication and accounting.
- Vassilovski et al., U.S. Patent Publication No. 2003/0012159 A1, regarding a system and method for mobile station authentication.
- Gallant et al., U.S. Patent Publication No. 2003/0177099 A1, regarding policy control and billing support for call transfer in a session initiation protocol.
- Creamer et al., U.S. Patent Publication No. 2004/0110487 A1, regarding a wireless network access system.
- Westman et al., U.S. Patent Publication No. 2004/0121760 A1, regarding authentication in a communication system.
- Donley et al., U.S. Patent Publication No. 2004/0180646 A1, regarding authentication for telephony devices.
- Silfverberg et al., U.S. Patent No. 6,961,564 B2, regarding a method for enabling a subscriber to actively communicate in a communication network.
- Jain et al., U.S. Patent No. 6,993,506 B2, regarding a method and device using polymorphic data in e-commerce.

- Faccin et al., U.S. Patent No. 7,024,688 B1, regarding techniques for performing universal mobile telecommunications system authentication using session initiation protocol. messages.

Please direct any inquiry concerning this communication or earlier communications from the examiner to Bea Koempel-Thomas whose telephone number is 571-270-1252. The examiner can normally be reached on Monday - Thursday & alternate Fridays; 0730 - 1700.

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Nabil El-Hady, on 571-272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bkt 12/21/2006

NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER